

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WINSTON NAJEE REED,

Plaintiff

v.

CALVIN JOHNSON, *et al.*,

Defendants

Case No. 3:23-cv-00656-RCJ-CSD

ORDER

On March 18, 2024, this Court ordered Plaintiff to either pay the full \$405 filing fee or file a new fully complete application to proceed *in forma pauperis* by April 15, 2024. (ECF No. 9). The Court warned Plaintiff that the action could be dismissed if he failed to timely comply. (*Id.* at 2). Shortly after that deadline expired, Plaintiff filed a declaration stating that prison officials informed him on April 12, 2024, that it would take about 30 more days to provide his financial documents. (ECF No. 10 at 2). Plaintiff states everything is slower in the prison because it is locked down due to riots. (*Id.*) And he asks the Court to enter an order requiring the Nevada Department of Corrections to release his financial documents. (*Id.* at 3). The Court construes Plaintiff's declaration as seeking to reopen and extend the time for him to either pay the filing fee or apply for *in forma pauperis* status, and it grants him that narrow relief.

It is therefore ordered that Plaintiff's Declaration (ECF No. 10) is construed as a motion to reopen and extend the time for him to either pay the \$405 filing fee or file a new fully complete application to proceed *in forma pauperis*, and it is granted in part and denied in part.

It is further ordered that Plaintiff has **until June 1, 2024**, to either pay the full \$402 filing fee or apply to proceed *in forma pauperis* by filing with the Court: a completed application with the inmate's two signatures on page 3; a completed financial certificate that is signed both by the inmate and the prison or jail official; and a copy of the inmate's trust fund account statement for the previous six-month period.

1 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
2 he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
3 refile the case with the Court, under a new case number, when he can file a complete
4 application to proceed *in forma pauperis* or pay the required filing fee.

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6 DATED THIS 2nd day of May 2024.

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8 UNITED STATES MAGISTRATE JUDGE
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